

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

YI SUN,

Plaintiff,

-against-

**NEW YORK CITY POLICE
DEPARTMENT, et al.**

Defendants.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: Jan. 6, 2021**

18-CV-11002 (LTS) (SN)

AMENDED ORDER OF SERVICE

On January 5, 2021, the Court docketed an Order at ECF No. 137, incorrectly indicating that the *pro se* Plaintiff was proceeding *in forma pauperis*. That was an error. Accordingly, the Order at ECF No. 137 is Amended by this Order, and the Plaintiff is directed to comply with the Service directives of this Order.

A. Newly Identified Defendants

On August 6, 2020, the Honorable Laura T. Swain entered an Order & Opinion which directed New York City's Corporation Counsel ("Corporation Counsel") to provide the Plaintiff with the identities of the NYPD Doe Officers who she alleged confronted her at her home on January 20, 2019. ECF No. 108 ("Valentin Order"). The Court has since granted several extensions to Corporation Counsel to comply with the Valentin Order. See ECF Nos. 119, 120, 133, 134. On January 4, 2021, Corporation Counsel provided the Court with four of the eight officers' identities, and requested a further 30-day extension in which to determine whether records exist regarding the remaining four officers alleged to have confronted the Plaintiff at her home. See ECF No. 136.

Accordingly, in the interest of judicial efficiency, the Clerk of Court is directed to amend the caption to add the four previously unnamed Defendants with the names of the officers

provided by Corporation Counsel.¹ See Fed. R. Civ. P. 21 (“[T]he court may at any time, on just terms, add . . . a party.”). Corporation Counsel may have an additional 30 days to comply with the Valentin Order. Any additional John Doe officers must be identified by February 5, 2021, and no further extensions will be granted. In addition, the Plaintiff may amend her Complaint until March 8, 2021.

B. Service on Newly Named Defendants

Plaintiff, who is proceeding *pro se*, paid the filing fees to commence this action. The Clerk of Court is directed to issue summonses as to the newly named Defendants. Plaintiff is directed to serve the summons and complaint on each Defendant within 90 days of the issuance of the summonses. If within those 90 days, Plaintiff has not either served Defendants or requested an extension of time to do so, the Court may dismiss the claims against Defendants under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

CONCLUSION

Corporation Counsel must comply with the Valentin Order by February 5, 2021, and no further extensions will be granted. The Plaintiff may Amend her Complaint no later than March 8, 2021. Respectfully, the Clerk of Court is directed to add the newly named Defendants, Officer Edwin Lau (Shield No. 6902), Officer Michael Mendez (Shield No. 7126), Officer Andrew Plaza (Shield No. 20827), and Officer Karanveer Balagad (Shield No. 15738) to the case caption. Additionally, the Clerk of Court is directed to issue summonses as to the newly named

1. Because the Plaintiff did not specify which John Doe Defendants were alleged to have committed any specific acts, the Clerk of Court is directed to add the new names, rather than replace the existing John Doe Defendants. It is possible that at a later date the Plaintiff will need to Amend the Complaint to assert which Officer was responsible for each specific allegation.

Defendants, and to mail a copy of this order to Plaintiff, together with an information package.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

New York, New York

DEFENDANTS AND SERVICE ADDRESSES

1. Officer Edwin Lau (Shield No. 6902)
New York City Police Department
25th Precinct
120 E. 119th Street
New York, NY 10035
2. Officer Michael Mendez (Shield No. 7126)
New York City Police Department
25th Precinct
120 E. 119th Street
New York, NY 10035
3. Officer Andrew Plaza (Shield No. 20827)
New York City Police Department
42nd Precinct
830 Washington Ave.
Bronx, NY 10451
4. Karanveer Balagad (Shield No. 15738)
New York City Police Department
25th Precinct
120 E. 119th Street
New York, NY 10035